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Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

New York, 9-20 July 2001

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Note

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I. Introduction

1. In its resolution 54/54 V of 15 December 1999, the General Assembly decided to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in June/July 2001.

2. In the same resolution, the General Assembly decided to establish a preparatory committee open to participation by all States, which would hold no fewer than three sessions, the first to be held in New York from 28 February to 3 March 2000.

3. The Preparatory Committee subsequently held its first session at United Nations Headquarters in New York from 28 February to 3 March 2000; its second session in New York from 8 to 19 January 2001; and its third session in New York from 19 to 30 March 2001. The reports of the Preparatory Committee for the Conference are contained in document A/CONF.192/1.

4. By its decision 55/415 of 20 November 2000, the General Assembly decided to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in New York, from 9 to 20 July 2001.

II. Organizational matters and proceedings of the Conference

A. Opening and duration of the Conference

5. The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was opened on 9 July 2001 by the Deputy Secretary-General of the United Nations. The Conference elected Camilo Reyes Rodriguez (Colombia) as President of the Conference. The President of the fifty-fifth session of the General Assembly addressed the Conference on 9 July. On the same day, the Deputy Secretary-General of the United Nations subsequently addressed the Conference on behalf of the Secretary-General of the United Nations. João Honwana of the Department for Disarmament Affairs served as Secretary-General and Mohammad Sattar of the Department of General Assembly Affairs and Conference Services served as Deputy Secretary-General of the Conference. The Conference, which met from 9 to 20 July 2001, held 10 plenary meetings and 23 informal meetings.

6. At its 1st meeting, on 9 July, the Conference adopted its rules of procedure (A/CONF.192/L.1), as orally revised.

7. The high-level segment of the general exchange of views at the Ministerial level was presided over by Mr. Mitsuro Donowaki of Japan. At the 1st meeting of the high-level segment, on 9 July, the Conference heard statements by representatives of Colombia, Belgium (on behalf of the European Union), Mozambique, the Netherlands, the Islamic Republic of Iran, the United States of America, Mexico, Japan, Spain, Brazil, Qatar (in its capacity as Chairman of the League of Arab States for the month of July) and Andorra.

8. At its 2nd meeting, on 9 July, the Conference continued the high-level segment of its general exchange of views and heard statements by the representatives of Bangladesh, Sweden, Austria, Belarus, Sudan, Lithuania, Nigeria, Sri Lanka,

Germany, China, Lesotho, Thailand, the Czech Republic and Mali (on behalf of the francophone group).

9. Also at its 2nd meeting, on 9 July 2001, Carlos dos Santos (Mozambique), in his capacity as Chairman of the Preparatory Committee, introduced the reports to the Conference, as contained in document A/CONF.192/1.

10. At its 3rd meeting, on 10 July, the Conference continued the high-level segment of its general exchange of views and heard statements by the representatives of Chile (on behalf of the Rio Group), the Russian Federation, Australia, Venezuela, Viet Nam (on behalf of the Association of South-East Asian Nations), Cambodia, Egypt, Peru, Slovenia, Nauru (on behalf of the Pacific Islands Forum), Pakistan, the Republic of Korea, Slovakia, Jamaica, Ukraine, Italy, Togo, Kazakhstan, Mali, the Solomon Islands, the Philippines, Senegal, Bosnia and Herzegovina, Burundi and Zambia.

11. At its 4th meeting, on 10 July, the Conference began its consideration of the draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/PC/L.4/Rev.1). Statements were made by representatives of Japan, Norway, Jordan (on behalf of the States Members of the United Nations that are members of the League of Arab States), the United States of America, Belgium (on behalf of the European Union), Colombia, Holy See, Canada, Cuba, Indonesia, Thailand, China, Viet Nam, Mali and Nepal.

12. At its 5th meeting, on 11 July, the Conference continued the high-level segment of its general exchange of views and heard statements by the representatives of Rwanda, Morocco, Costa Rica, Switzerland, Algeria, Mongolia, Chile, Singapore, Finland, Hungary, Cuba, the Syrian Arab Republic, Guatemala, Ireland, Romania, Poland, Viet Nam, Canada, Armenia, Tunisia, Malaysia, Uganda, Croatia, Kenya, Zimbabwe, Sierra Leone and the Holy See. The Conference also heard statements from the Under-Secretary-General for Disarmament Affairs (on behalf of the Coordinating Action on Small Arms) and representatives of the Inter-Agency Standing Committee and the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.

13. At its 6th meeting, on 12 July, the Conference continued its high-level segment by hearing statements from New Zealand, the Bahamas, Burkina Faso, India, Greece, Namibia (on behalf of the Southern African Development Community), Argentina, Norway, Cyprus, Indonesia, Bulgaria, Yugoslavia, Trinidad and Tobago, the Libyan Arab Jamahiriya, Jordan, the United Kingdom of Great Britain and Northern Ireland, Ethiopia, Uruguay (on behalf of MERCOSUR and Bolivia and Chile), Guyana, Haiti, Iraq, the Republic of Moldova, Congo, Madagascar, Ecuador, Nicaragua, Bahrain and Afghanistan. At the same meeting, the Conference also heard statements from the representatives of the Chairman of the Office of the Organization for Security and Cooperation in Europe, the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC).

14. At its 7th meeting, on 13 July, the Conference concluded the high-level segment of its general exchange of views after hearing statements by the representatives of Uruguay, Mauritius, South Africa, Portugal, France, Paraguay, Monaco, Ghana, the Democratic People's Republic of Korea, Panama, Cameroon,

Lao People's Democratic Republic, the former Yugoslav Republic of Macedonia, Israel, Malawi, Botswana, Yemen, Gabon, Belize (on behalf of the Caribbean Community), Niger, Guinea, Azerbaijan, Vanuatu, Angola, Albania, Nepal and El Salvador. At the same meeting, the Conference also heard statements from the representatives of the World Health Organization (WHO) and the United Nations Development Programme (UNDP).

15. At its 8th meeting, on 16 July, the Conference heard statements by the representatives of the following non-governmental organizations: Fundación Gamma Idear, International Physicians for the Prevention of Nuclear War, Russian Physicians for the Prevention of Nuclear War, Leitana Nehan Women's Development Agency, Christian Council of Sierra Leone, People with Disabilities of Uganda, South Asia Partnership International (on behalf of South Asia Small Arms Network), InterBand, Franciscans International, Commission of the Churches on International Affairs, World Council of Churches, Pastoralist Peace and Development Initiative, Oxfam, Amnesty International (Sierra Leone) and Human Rights Watch, World Forum on the Future of Sports Shooting Activities, British Shooting Sports Council, Canadian Institute for Legislative Action, Forum Waffenrecht, National Rifle Association of America, Single Action Shooting Society, South Africa Gun Owner's Association, Sporting Clays Association of America, Sporting Shooters Association of Australia, Fair Trade Group, Federation of European Societies of Arms Collectors, Safari Club International, Million Mom March, Unitarian Universalist Association, Gun Free South Africa, Coalition Francais, Federation of American Scientists, Groupe de Recherche et d'Information sur la Paix et la Sécurité, National Center for Economic and Security Alternatives, Fundación Espacios para el Progreso Social, Council of Christian Churches, The Fund for Peace, Arias Foundation, Biting the Bullet Project, Mouvement contre les armes legères en Afrique de l'Ouest, the Eminent Persons Group, Institute for Security Studies, Viva Rio and International Action Network on Small Arms.

16. At its 9th meeting, on 18 July, the Conference heard a special message delivered by the representative of the Organization of African Unity.

B. Agenda

17. At its 1st meeting, on 9 July, the Conference adopted the agenda as follows:

1. Opening of the Conference by the Secretary-General of the United Nations.
2. Election of the President.
3. Statement by the President.
4. Address by the President of the General Assembly.
5. Address by the Secretary-General of the United Nations.
6. Adoption of the rules of procedure.
7. Adoption of the agenda.
8. Organization of work.
9. Election of officers other than the President.

10. Credentials of representatives to the Conference:

    (a) Appointment of the members of the Credentials Committee;

    (b) Report of the Credentials Committee.

11. Confirmation of the Secretary-General of the Conference.

12. Submission of the report of the Preparatory Committee by the Chairman of the Preparatory Committee.

13. General exchange of views.

14. Statements by participants other than States.

15. Adoption of the final documents of the Conference.

16. Adoption of the report of the Conference to the General Assembly.

C. Officers

18. The composition of the Bureau of the Conference was as follows:

President:

Camilo Reyes Rodriguez (Colombia)

Vice-Presidents:

Representatives of the following States: Argentina, Armenia, Australia, Azerbaijan, Belarus, Belgium, Brazil, China, Cuba, Egypt, India, Indonesia, Jamaica, Japan, Kenya, Mali, Mexico, Mozambique, Nepal, Nigeria, Norway, Philippines, Republic of Moldova, South Africa, Spain, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America

D. Documentation

19. The Conference had before it the following documents:

(a) Reports of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/1);

(b) Note by the Secretary-General, transmitting the report, prepared with the assistance of a Group of Governmental Experts, on the feasibility of restricting the manufacture and trade of small arms and light weapons to the manufacturers and dealers authorized by States (A/CONF.192/2);

(c) Provisional rules of procedure of the Conference (A/CONF.192/L.1);

(d) Provisional agenda of the Conference (A/CONF.192/L.2);

(e) Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/PC/L.4/Rev.1);

(f) Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/L.5 and L.5/Rev.1);

(g) Draft report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/L.6);

(h) Provisional programme of work (A/CONF.192/CRP.1);

(i) List of participants (A/CONF.192/10 and Corr.1, Add.1 and Corr.1 and Add.2);

(j) Report of the Credentials Committee (A/CONF.192/12);

(k) List of non-governmental organizations, requesting accreditation in accordance with draft rule 64 (A/CONF.192/INF.1);

(l) Note verbale dated 8 May 2001 from the Permanent Mission of Chile to the United Nations addressed to the Department for Disarmament Affairs of the Secretariat transmitting the communiqué of the Rio Group on the illicit trade in small arms and light weapons in all its aspects (A/CONF.192/3);

(m) Note verbale dated 27 June 2001 from the Permanent Mission of Sweden to the United Nations, on behalf of the European Union, addressed to the Department for Disarmament Affairs of the Secretariat (A/CONF.192/4);

(n) Note verbale dated 5 July from the Permanent Mission of Sweden to the United Nations addressed to the Department for Disarmament Affairs of the Secretariat, transmitting the Euro-Atlantic Partnership Council/Partnership for Peace contribution to the Conference (A/CONF.192/5);

(o) Letter dated 9 July 2001 from the Chargé d'affaires of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Conference (A/CONF.192/6);

(p) Note verbale dated 6 July 2001 from the Permanent Mission of Azerbaijan and the Permanent Observer Mission of Switzerland to the United Nations addressed to the Secretary-General of the Conference, transmitting the Chairmen's conclusions on a workshop entitled "Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council", held in Baku on 21 and 22 June 2001 (A/CONF.192/7);

(q) Note verbale dated 11 July 2001 from the Permanent Mission of Jordan to the United Nations addressed to the Secretary-General of the Conference (A/CONF.192/8);

(r) Letter dated 11 July 2001 from the Permanent Observer of the Organization of the Islamic Conference to the United Nations addressed to the Secretary-General of the Conference (A/CONF.192/9);

(s) Note verbale dated 10 July 2001 from the Permanent Mission of France to the United Nations addressed to the Secretary-General of the Conference (A/CONF.192/11);

(t) Letter dated 16 July 2001 from the Permanent Representative of Mali to the United Nations addressed to the President of the United Nations Conference on

the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/13);

(u) Bahrain: amendment to A/CONF.192/PC/L.4/Rev.1 (A/CONF.192/L.3).

III. Credentials

20. Pursuant to rule 4 of the rules of procedure of the Conference (A/CONF.192/L.1), according to which the composition of the Credentials Committee shall have the same membership as that of the fifty-fifth session of the General Assembly, the Conference appointed the Bahamas, China, Ecuador, Gabon, Ireland, Mauritius, the Russian Federation, Thailand and the United States of America as members of the Credentials Committee of the Conference.

21. At its 9th meeting, on 18 July, the Conference approved the report of the Credentials Committee (A/CONF.192/12), which had examined the credentials of the representatives of the Member States to the Conference and had found them to be in order.

IV. Consideration and adoption of the Programme of Action and adoption of the report of the Conference to the General Assembly

22. The Conference held 23 informal meetings from 11 to 19 July 2001, at which it continued its consideration and negotiation of the draft programme of action.

23. At an informal meeting, on 16 July, the President submitted a revised draft Programme of Action to the Conference (A/CONF.192/L.5).

24. At its 10th meeting, on 20 July 2001, the Conference adopted the orally amended draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects contained in document A/CONF.192/L.5/Rev.1. At the same meeting, the Conference adopted its report to the General Assembly by consensus. The draft Programme of Action reads as follows:

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

I. Preamble

1. We, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, having met in New York from 9 to 20 July 2001,

2. *Gravely concerned* about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, which have a wide range of humanitarian and socio-economic consequences and pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels,

3. *Concerned also* by the implications that poverty and underdevelopment may have for the illicit trade in small arms and light weapons in all its aspects,

4. *Determined* to reduce the human suffering caused by the illicit trade in small arms and light weapons in all its aspects and to enhance the respect for life and the dignity of the human person through the promotion of a culture of peace,

5. *Recognizing* that the illicit trade in small arms and light weapons in all its aspects sustains conflicts, exacerbates violence, contributes to the displacement of civilians, undermines respect for international humanitarian law, impedes the provision of humanitarian assistance to victims of armed conflict and fuels crime and terrorism,

6. *Gravely concerned* about its devastating consequences on children, many of whom are victims of armed conflict or are forced to become child soldiers, as well as the negative impact on women and the elderly, and in this context, taking into account the special session of the United Nations General Assembly on children,

7. *Concerned also* about the close link between terrorism, organized crime, trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons, and stressing the urgency of international efforts and cooperation aimed at combating this trade simultaneously from both a supply and demand perspective,

8. *Reaffirming* our respect for and commitment to international law and the purposes and principles enshrined in the Charter of the United Nations, including the sovereign equality of States, territorial integrity, the peaceful resolution of international disputes, non-intervention and non-interference in the internal affairs of States,

9. *Reaffirming* the inherent right to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

10. *Reaffirming also* the right of each State to manufacture, import and retain small arms and light weapons for its self-defence and security needs, as well as

for its capacity to participate in peacekeeping operations in accordance with the Charter of the United Nations,

11. *Reaffirming* the right of self-determination of all peoples, taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, and recognizing the right of peoples to take legitimate action in accordance with the Charter of the United Nations to realize their inalienable right of self-determination. This shall not be construed as authorizing or encouraging any action that would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples,

12. *Recalling* the obligations of States to fully comply with arms embargoes decided by the United Nations Security Council in accordance with the Charter of the United Nations,

13. *Believing* that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects and, accordingly, should intensify their efforts to define the problems associated with such trade and find ways of resolving them,

14. *Stressing* the urgent necessity for international cooperation and assistance, including financial and technical assistance, as appropriate, to support and facilitate efforts at the local, national, regional and global levels to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

15. *Recognizing* that the international community has a duty to deal with this issue, and acknowledging that the challenge posed by the illicit trade in small arms and light weapons in all its aspects is multi-faceted and involves, inter alia, security, conflict prevention and resolution, crime prevention, humanitarian, health and development dimensions,

16. *Recognizing also* the important contribution of civil society, including non-governmental organizations and industry in, inter alia, assisting Governments to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

17. *Recognizing further* that these efforts are without prejudice to the priorities accorded to nuclear disarmament, weapons of mass destruction and conventional disarmament,

18. *Welcoming* the efforts being undertaken at the global, regional, subregional, national and local levels to address the illicit trade in small arms and light weapons in all its aspects, and desiring to build upon them, taking into account the characteristics, scope and magnitude of the problem in each State or region,[1]

19. *Recalling* the Millennium Declaration and also welcoming ongoing initiatives in the context of the United Nations to address the problem of the illicit trade in small arms and light weapons in all its aspects,

[1] See the annex for regional and subregional initiatives.

20. *Recognizing* that the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, establishes standards and procedures that complement and reinforce efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

21. *Convinced* of the need for a global commitment to a comprehensive approach to promote, at the global, regional, subregional, national and local levels, the prevention, reduction and eradication of the illicit trade in small arms and light weapons in all its aspects as a contribution to international peace and security,

22. *Resolve* therefore to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects by:

(a) Strengthening or developing agreed norms and measures at the global, regional and national levels that would reinforce and further coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;

(b) Developing and implementing agreed international measures to prevent, combat and eradicate illicit manufacturing of and trafficking in small arms and light weapons;

(c) Placing particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the excessive and destabilizing accumulation of small arms and light weapons have to be dealt with urgently;[2]

(d) Mobilizing the political will throughout the international community to prevent and combat illicit transfers and manufacturing of small arms and light weapons in all their aspects, to cooperate towards these ends and to raise awareness of the character and seriousness of the interrelated problems associated with the illicit manufacturing of and trafficking in these weapons;

(e) Promoting responsible action by States with a view to preventing the illicit export, import, transit and retransfer of small arms and light weapons.

[2] The term "excessive and destabilizing accumulation of small arms and light weapons" is described in paragraphs 34-37 of the report of the Panel of Governmental Experts on Small Arms (A/52/298, annex).

II. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects

1. We, the States participating in this Conference, bearing in mind the different situations, capacities and priorities of States and regions, undertake the following measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

At the national level

2. To put in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective control over the production of small arms and light weapons within their areas of jurisdiction and over the export, import, transit or retransfer of such weapons, in order to prevent illegal manufacture of and illicit trafficking in small arms and light weapons, or their diversion to unauthorized recipients.

3. To adopt and implement, in the States that have not already done so, the necessary legislative or other measures to establish as criminal offences under their domestic law the illegal manufacture, possession, stockpiling and trade of small arms and light weapons within their areas of jurisdiction, in order to ensure that those engaged in such activities can be prosecuted under appropriate national penal codes.

4. To establish, or designate as appropriate, national coordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This should include aspects of the illicit manufacture, control, trafficking, circulation, brokering and trade, as well as tracing, finance, collection and destruction of small arms and light weapons.

5. To establish or designate, as appropriate, a national point of contact to act as liaison between States on matters relating to the implementation of the Programme of Action.

6. To identify, where applicable, groups and individuals engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit small arms and light weapons, and take action under appropriate national law against such groups and individuals.

7. To ensure that henceforth licensed manufacturers apply an appropriate and reliable marking on each small arm and light weapon as an integral part of the production process. This marking should be unique and should identify the country of manufacture and also provide information that enables the national authorities of that country to identify the manufacturer and serial number so that the authorities concerned can identify and trace each weapon.

8. To adopt where they do not exist and enforce, all the necessary measures to prevent the manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked small arms and light weapons.

9. To ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light

weapons under their jurisdiction. These records should be organized and maintained in such a way as to ensure that accurate information can be promptly retrieved and collated by competent national authorities.

10. To ensure responsibility for all small arms and light weapons held and issued by the State and effective measures for tracing such weapons.

11. To assess applications for export authorizations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law, taking into account in particular the risk of diversion of these weapons into the illegal trade. Likewise, to establish or maintain an effective national system of export and import licensing or authorization, as well as measures on international transit, for the transfer of all small arms and light weapons, with a view to combating the illicit trade in small arms and light weapons.

12. To put in place and implement adequate laws, regulations and administrative procedures to ensure the effective control over the export and transit of small arms and light weapons, including the use of authenticated end-user certificates and effective legal and enforcement measures.

13. To make every effort, in accordance with national laws and practices, without prejudice to the right of States to re-export small arms and light weapons that they have previously imported, to notify the original exporting State in accordance with their bilateral agreements before the retransfer of those weapons.

14. To develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering. This legislation or procedures should include measures such as registration of brokers, licensing or authorization of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State's jurisdiction and control.

15. To take appropriate measures, including all legal or administrative means, against any activity that violates a United Nations Security Council arms embargo in accordance with the Charter of the United Nations.

16. To ensure that all confiscated, seized or collected small arms and light weapons are destroyed, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered.

17. To ensure, subject to the respective constitutional and legal systems of States, that the armed forces, police or any other body authorized to hold small arms and light weapons establish adequate and detailed standards and procedures relating to the management and security of their stocks of these weapons. These standards and procedures should, inter alia, relate to: appropriate locations for stockpiles; physical security measures; control of access to stocks, inventory management and accounting control; staff training; security, accounting and control of small arms and light weapons held or

transported by operational units or authorized personnel; and procedures and sanctions in the event of thefts or loss.

18. To regularly review, as appropriate, subject to the respective constitutional and legal systems of States, the stocks of small arms and light weapons held by armed forces, police and other authorized bodies and to ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified, that programmes for the responsible disposal, preferably through destruction, of such stocks are established and implemented and that such stocks are adequately safeguarded until disposal.

19. To destroy surplus small arms and light weapons designated for destruction, taking into account, inter alia, the report of the Secretary-General of the United Nations on methods of destruction of small arms, light weapons, ammunition and explosives (S/2000/1092) of 15 November 2000.

20. To develop and implement, including in conflict and post-conflict situations, public awareness and confidence-building programmes on the problems and consequences of the illicit trade in small arms and light weapons in all its aspects, including, where appropriate, the public destruction of surplus weapons and the voluntary surrender of small arms and light weapons, if possible, in cooperation with civil society and non-governmental organizations, with a view to eradicating the illicit trade in small arms and light weapons.

21. To develop and implement, where possible, effective disarmament, demobilization and reintegration programmes, including the effective collection, control, storage and destruction of small arms and light weapons, particularly in post-conflict situations, unless another form of disposition or use has been duly authorized and such weapons have been marked and the alternate form of disposition or use has been recorded, and to include, where applicable, specific provisions for these programmes in peace agreements.

22. To address the special needs of children affected by armed conflict, in particular the reunification with their family, their reintegration into civil society, and their appropriate rehabilitation.

23. To make public national laws, regulations and procedures that impact on the prevention, combating and eradicating of the illicit trade in small arms and light weapons in all its aspects and to submit, on a voluntary basis, to relevant regional and international organizations and in accordance with their national practices, information on, inter alia, (a) small arms and light weapons confiscated or destroyed within their jurisdiction; and (b) other relevant information such as illicit trade routes and techniques of acquisition that can contribute to the eradication of the illicit trade in small arms and light weapons in all its aspects.

At the regional level

24. To establish or designate, as appropriate, a point of contact within subregional and regional organizations to act as liaison on matters relating to the implementation of the Programme of Action.

25. To encourage negotiations, where appropriate, with the aim of concluding relevant legally binding instruments aimed at preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, and where they do exist to ratify and fully implement them.

26. To encourage the strengthening and establishing, where appropriate and as agreed by the States concerned, of moratoria or similar initiatives in affected regions or subregions on the transfer and manufacture of small arms and light weapons, and/or regional action programmes to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, and to respect such moratoria, similar initiatives, and/or action programmes and cooperate with the States concerned in the implementation thereof, including through technical assistance and other measures.

27. To establish, where appropriate, subregional or regional mechanisms, in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders.

28. To encourage, where needed, regional and subregional action on illicit trade in small arms and light weapons in all its aspects in order to, as appropriate, introduce, adhere, implement or strengthen relevant laws, regulations and administrative procedures.

29. To encourage States to promote safe, effective stockpile management and security, in particular physical security measures, for small arms and light weapons, and to implement, where appropriate, regional and subregional mechanisms in this regard.

30. To support, where appropriate, national disarmament, demobilization and reintegration programmes, particularly in post-conflict situations, with special reference to the measures agreed upon in paragraphs 28 to 31 of this section.

31. To encourage regions to develop, where appropriate and on a voluntary basis, measures to enhance transparency with a view to combating the illicit trade in small arms and light weapons in all its aspects.

At the global level

32. To cooperate with the United Nations system to ensure the effective implementation of arms embargoes decided by the United Nations Security Council in accordance with the Charter of the United Nations.

33. To request the Secretary-General of the United Nations, within existing resources, through the Department for Disarmament Affairs, to collate and circulate data and information provided by States on a voluntary basis and including national reports, on implementation by those States of the Programme of Action.

34. To encourage, particularly in post-conflict situations, the disarmament and demobilization of ex-combatants and their subsequent reintegration into civilian life, including providing support for the effective disposition, as stipulated in paragraph 17 of this section, of collected small arms and light weapons.

35. To encourage the United Nations Security Council to consider, on a case-by-case basis, the inclusion, where applicable, of relevant provisions for disarmament, demobilization and reintegration in the mandates and budgets of peacekeeping operations.

36. To strengthen the ability of States to cooperate in identifying and tracing in a timely and reliable manner illicit small arms and light weapons.

37. To encourage States and the World Customs Organization, as well as other relevant organizations, to enhance cooperation with the International Criminal Police Organization (Interpol) to identify those groups and individuals engaged in the illicit trade in small arms and light weapons in all its aspects in order to allow national authorities to proceed against them in accordance with their national laws.

38. To encourage States to consider ratifying or acceding to international legal instruments against terrorism and transnational organized crime.

39. To develop common understandings of the basic issues and the scope of the problems related to illicit brokering in small arms and light weapons with a view to preventing, combating and eradicating the activities of those engaged in such brokering.

40. To encourage the relevant international and regional organizations and States to facilitate the appropriate cooperation of civil society, including non-governmental organizations, in activities related to the prevention, combat and eradication of the illicit trade in small arms and light weapons in all its aspects, in view of the important role that civil society plays in this area.

41. To promote dialogue and a culture of peace by encouraging, as appropriate, education and public awareness programmes on the problems of the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.

III. Implementation, international cooperation and assistance

1. We, the States participating in the Conference, recognize that the primary responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States. We also recognize that States need close international cooperation to prevent, combat and eradicate this illicit trade.

2. States undertake to cooperate and to ensure coordination, complementarity and synergy in efforts to deal with the illicit trade in small arms and light weapons in all its aspects at the global, regional, subregional and national levels and to encourage the establishment and strengthening of cooperation and partnerships at all levels among international and intergovernmental organizations and civil society, including non-governmental organizations and international financial institutions.

3. States and appropriate international and regional organizations in a position to do so should, upon request of the relevant authorities, seriously

consider rendering assistance, including technical and financial assistance where needed, such as small arms funds, to support the implementation of the measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects as contained in the Programme of Action.

4. States and international and regional organizations should, upon request by the affected States, consider assisting and promoting conflict prevention. Where requested by the parties concerned, in accordance with the principles of the Charter of the United Nations, States and international and regional organizations should consider promotion and assistance of the pursuit of negotiated solutions to conflicts, including by addressing their root causes.

5. States and international and regional organizations should, where appropriate, cooperate, develop and strengthen partnerships to share resources and information on the illicit trade in small arms and light weapons in all its aspects.

6. With a view to facilitating implementation of the Programme of Action, States and international and regional organizations should seriously consider assisting interested States, upon request, in building capacities in areas including the development of appropriate legislation and regulations, law enforcement, tracing and marking, stockpile management and security, destruction of small arms and light weapons and the collection and exchange of information.

7. States should, as appropriate, enhance cooperation, the exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in small arms and light weapons in all its aspects.

8. Regional and international programmes for specialist training on small arms stockpile management and security should be developed. Upon request, States and appropriate international or regional organizations in a position to do so should support these programmes. The United Nations, within existing resources, and other appropriate international or regional organizations should consider developing capacity for training in this area.

9. States are encouraged to use and support, as appropriate, including by providing relevant information on the illicit trade in small arms and light weapons, Interpol's International Weapons and Explosives Tracking System database or any other relevant database that may be developed for this purpose.

10. States are encouraged to consider international cooperation and assistance to examine technologies that would improve the tracing and detection of illicit trade in small arms and light weapons, as well as measures to facilitate the transfer of such technologies.

11. States undertake to cooperate with each other, including on the basis of the relevant existing global and regional legally binding instruments as well as other agreements and arrangements, and, where appropriate, with relevant international, regional and intergovernmental organizations, in tracing illicit small arms and light weapons, in particular by strengthening mechanisms based on the exchange of relevant information.

12. States are encouraged to exchange information on a voluntary basis on their national marking systems on small arms and light weapons.

13. States are encouraged, subject to their national practices, to enhance, according to their respective constitutional and legal systems, mutual legal assistance and other forms of cooperation in order to assist investigations and prosecutions in relation to the illicit trade in small arms and light weapons in all its aspects.

14. Upon request, States and appropriate international or regional organizations in a position to do so should provide assistance in the destruction or other responsible disposal of surplus stocks or unmarked or inadequately marked small arms and light weapons.

15. Upon request, States and appropriate international or regional organizations in a position to do so should provide assistance to combat the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime and terrorism.

16. Particularly in post-conflict situations, and where appropriate, the relevant regional and international organizations should support, within existing resources, appropriate programmes related to the disarmament, demobilization and reintegration of ex-combatants.

17. With regard to those situations, States should make, as appropriate, greater efforts to address problems related to human and sustainable development, taking into account existing and future social and developmental activities, and should fully respect the rights of the States concerned to establish priorities in their development programmes.

18. States, regional and subregional and international organizations, research centres, health and medical institutions, the United Nations system, international financial institutions and civil society are urged, as appropriate, to develop and support action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in small arms and light weapons in all its aspects.

IV. Follow-up to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

1. We, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, recommend to the General Assembly the following agreed steps to be undertaken for the effective follow-up of the Conference:

(a) To convene a conference no later than 2006 to review progress made in the implementation of the Programme of Action, the date and venue to be decided at the fifty-eighth session of the General Assembly;

(b) To convene a meeting of States on a biennial basis to consider the national, regional and global implementation of the Programme of Action;

(c) To undertake a United Nations study, within existing resources, for examining the feasibility of developing an international instrument to enable States to identify and trace in a timely and reliable manner illicit small arms and light weapons;

(d) To consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons.

2. Finally, we, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects:

(a) Encourage the United Nations and other appropriate international and regional organizations to undertake initiatives to promote the implementation of the Programme of Action;

(b) Also encourage all initiatives to mobilize resources and expertise to promote the implementation of the Programme of Action and to provide assistance to States in their implementation of the Programme of Action;

(c) Further encourage non-governmental organizations and civil society to engage, as appropriate, in all aspects of international, regional, subregional and national efforts to implement the present Programme of Action.

Annex

Initiatives undertaken at the regional and subregional levels to address the illicit trade in small arms and light weapons

- In June 1998, the Organization of African Unity (OAU) adopted a decision on the proliferation of small arms and light weapons, stressing the role that OAU should play in coordinating efforts to address the problem in Africa and requesting the Secretary-General of OAU to prepare a comprehensive report on the issue.
- Decision on the illicit proliferation, circulation and trafficking of small arms and light weapons (AHG/Dec.137 (XXXV)), adopted by the Assembly of Heads of State and Government of OAU at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999 (see A/54/424, annex II).
- From 30 November to 1 December 2000, OAU held a Ministerial Meeting at Bamako on the issue of small arms and light weapons. The meeting adopted the Bamako Declaration (A/CONF.192/PC/23).
- First Continental Meeting of African Experts on Small Arms and Light Weapons, Addis Ababa, May 2000.
- International Consultation on the Illicit Proliferation, Circulation and Trafficking in Small Arms and Light Weapons, Addis Ababa, June 2000.

- Summit of Heads of State and Government of the Southern African Development Community, Namibia, August 2000.
- Decision by the Council of Ministers of the Southern African Development Community to conclude its negotiations on a protocol on the control of firearms, ammunition and other related materials in the region of the community.
- Decision by the States members of the Economic Community of West African States to implement their agreement on a moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa.
- The Great Lakes and Horn of Africa Conference on the Proliferation of Small Arms, attended by the Foreign Ministers of all 10 countries of the region, met at Nairobi in March 2000 and adopted the Nairobi Declaration.
- In November 1997, the States members of the Organization of American States (OAS) signed the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. The Convention, which came into force in 1998, set forth a set of substantial measures to combat illicit arms trafficking. The Convention has been reinforced by the adoption by the States members of the OAS Inter-American Drug Abuse Control Commission of model regulations for the control of the international movement of firearms, their parts, components and ammunition.
- In April 1998, the Presidents of the States members (Argentina, Brazil, Paraguay and Uruguay) of the Common Market of the Southern Cone (MERCOSUR) and associated States (Bolivia and Chile) signed a joint declaration agreeing to create a joint register mechanism of buyers and sellers of firearms, explosives, ammunition and related materials.
- Regional Preparatory Meeting of the Latin American and Caribbean States for the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held at Brasilia, from 22 to 24 November 2000. The Brasilia Declaration was adopted at the meeting.
- In June 1999, the First Summit Conference of Heads of State and Government of Latin America and the Caribbean and the European Union, held at Rio de Janeiro, adopted the Declaration of Rio de Janeiro.
- In June 1999, a workshop was held at Lima on the topic "Illicit Traffic in Small Arms: Latin American and Caribbean issues". The workshop was part of the Secretary-General's mandate, under General Assembly resolution 53/77 T of 4 December 1998, to conduct broad-based consultations on illicit trafficking in small arms.
- Establishment, by the States parties to the Inter-American Convention, of the Consultative Committee of the Inter-American Convention

against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.

- The Organization of Security and Cooperation in Europe (OSCE) adopted the OSCE Document on Small Arms and Light Weapons on 24 November 2000.
- Adoption by the European Union of the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms and the other initiatives undertaken, such as the Joint Action on Small Arms, which has been endorsed by several Member States not members of the European Union.
- Seminar on Small Arms and Light Weapons, held by the Forum for Security Cooperation (OSCE), Vienna, 3-5 April 2000.
- Conference on Export Controls, Sofia, December 1999.
- Workshop on Small Arms and Light Weapons: Possible Contribution to the Stability Pact for South-eastern Europe, Slovenia, January 2000.
- Meeting of the Working Table on Security Issues of the Stability Pact for South-eastern Europe, Bosnia and Herzegovina, February 2000.
- Workshop on Stockpile Management and Security of Small Arms and Light Weapons, Thun, Switzerland, March 2000.
- Regional Seminar on Illicit Trafficking in Small Arms and Light Weapons, co-hosted by the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and the Governments of Indonesia and Japan, was held at Jakarta in May 2000. The Seminar made a positive contribution to the debate on illicit trafficking in small arms and light weapons in general, and in particular to the efforts of the Association of South-East Asian Nations (ASEAN) and its member States.
- The Asia Regional Workshop on Small Arms was held at Tokyo, in June 2000, as part of the informal consultations in the context of the preparatory process for the 2001 United Nations Conference in the Asian region.
- Conference entitled "Countering Small Arms and Light Weapons Proliferation in South Asia", organized by the Governments of Canada and Sri Lanka and the Colombo-based Regional Centre for Strategic Studies, in collaboration with the United Nations Department for Disarmament Affairs, Colombo, June 2000. The conference was the first such in South Asia at which the issue of small arms as well as others related to the 2001 Conference were discussed.
- Pacific Islands Forum paper on small arms: "The Interests and Involvement of Pacific Island Forum Countries".
- Meeting of the South Pacific Chiefs of Police and the Oceania Customs Organization Subcommittee, Fiji, March 2000.
- Second Ministerial Meeting of the Human Security Network, Lucerne, Switzerland, 11-12 May 2000.

- Workshop on Traceability of Small Arms and Light Weapons: Tracing, Marking and Record-Keeping, Geneva, 12-13 March 2001.
- North Atlantic Treaty Organization (NATO)/Euro-Atlantic Partnership Council Workshop on Small Arms and Light Weapons: Export Controls and Small Arms and Light Weapons Transfers, Brussels, 16-17 March 2000.
- Euro-Atlantic Partnership Council/Partnership for Peace workshop in support of the South-East Europe Initiative (SEEI) on Regional Cooperation in South-East Europe and the Challenge of Small Arms and Light Weapons, Ohrid, the former Yugoslav Republic of Macedonia, 22-23 June 2000.
- NATO/Euro-Atlantic Partnership Council Experts Workshop on Export Control of Small Arms and Light Weapons, Brussels, 21 November 2000.
- Partnership for Peace Training Course on Stockpile Management and Security of Small Arms and Light Weapons, Brugg, Switzerland, May-June 2001.
- Workshop on Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council, Baku, 21-22 June 2001.
- Asian Regional Forum Experts Group Meeting on Transnational Crime, 30 and 31 October 2000, Seoul, Republic of Korea.
- The Foreign Ministers of the G8 meeting in Miyazaki, Japan on 12 and 13 July 2000, agreed to take several measures to deal with the uncontrolled and illegal transfer of small arms and light weapons, as well as their destabilizing accumulation, with a view to restricting the means for armed conflicts and achieving concrete results at the United Nations Conference in 2001.
- On 14 and 15 December 1999, Bulgaria hosted a Regional Conference on Export Controls, under the auspices of the Stability Pact for South-Eastern Europe, co-sponsored by the Government of the United States of America. The Conference issued a Joint Declaration on Responsible Arms Transfers and a Statement on Harmonization of End-Use/End-User Certificates.
- On 17 and 18 March 2000, a seminar on controlling flows of small arms and light weapons was held at Jablonna, Poland. The seminar was organized by Saferworld (London), the Institute of Public Affairs (Warsaw) and co-hosted by the Polish Ministry of Foreign Affairs.
- On 18 and 19 September 2000, the Governments of Poland and Canada organized a seminar in Warsaw to address the issue of small arms disarmament within the context of peacekeeping operations.
- On 28 and 29 September 2000, the Governments of the Netherlands and Hungary organized, at The Hague, an expert workshop on destruction

of small arms and light weapons related to stockpile management and weapons collection in post-conflict situations.

- From 16 to 19 October 2000, the Stability Pact for South-Eastern Europe and the Governments of Bulgaria and Canada organized a seminar on collection and destruction techniques for small arms and light weapons at Sofia.

- On 20 and 21 October, the Czech Ministry for Foreign Affairs, Saferworld, and the Institute of International Relations held a seminar in the Czech Republic on improving accountability and transparency in relation to production transfers and holding of arms in an enlarged European Union.

- On 7 November 2000, the Canadian Joint Delegation to NATO and the Centre for European Security and Disarmament organized a roundtable on Small Arms and Europe-Atlantic Security at NATO headquarters.

- On 17 and 18 November 2000, the Ministry of Foreign Affairs of Hungary, Saferworld and Szeged Centre for Security Policy organized a roundtable at Szeged, Hungary, entitled "Tackling small arms diffusion in South-Eastern Europe: Towards a subregional Action Programme on small arms in the context of the Stability Pact".

- On 15 and 16 May 2001, Canada and the European Union, under the Swedish Presidency, organized a workshop in Canada on small arms and light weapons destruction in the context of peace support operations.

- On 20 and 21 September 2001 the Governments of Canada and Poland co-hosted and co-chaired a Euro-Atlantic Partnership Council Seminar on Disarmament and Peacekeeping. This seminar focused upon the implementation of weapons collection programmes during peace support operations.

- On 22 and 23 October 2000, the Governments of Canada and Bulgaria co-hosted and co-chaired a Stability Pact Seminar on Small Arms and Light Weapons Destruction. The seminar demonstrated practical arms destruction methods.

- Canada, in conjunction with Cambodia and Japan, held an Asian Regional Forum seminar on transparency in conventional arms transfers, in Phnom Penh, on 22 and 23 February 2001. This seminar concluded with a set of recommendations that are presently being considered by the Asian Regional Forum.

- On 26 and 27 April 2001 the Governments of Canada and Hungary co-hosted and co-chaired a Euro-Atlantic Partnership Council seminar on arms embargoes and sanctions. This seminar developed recommendations to improve the implementation of arms embargoes.

- On 21 and 22 May 2001, in Ottawa, the Government of Canada sponsored an OAS Seminar entitled: "The OAS and the 2001 Conference: Tackling the Illicit Trade in Small Arms and Light Weapons in All Its Aspects".

- International Meeting on Small Arms, Oslo, 13 and 14 July 1998.
- Second International Meeting on Small Arms and Light Weapons, Oslo, 6 and 7 December 1999 (Oslo II).
- On 13 and 14 February 2001, Lancaster House Policy Brainstorming Seminar on Small Arms and Light Weapons.
- Pacific Islands Small Arms Workshop, Brisbane, Australia, 9-11 May 2001.
- From 25 to 27 October 1999, the States members of the Economic Community of Central African States held in N'djamena, under the auspices of the United Nations Standing Advisory Committee on Security Questions in Central Africa, a subregional conference on the proliferation of and illicit traffic in small arms and light weapons in Central Africa.

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Annex

Statement by the President of the Conference after the adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

The Conference has taken a significant step forward today in addressing one of the most urgent problems of international peace and security, the illicit trade in small arms and light weapons. The national delegations were, at the end, able to put aside their many differences and reach a consensus on all parts of a Programme of Action to combat this collective threat. All parts, that is, except for two of the most important, for which there was overwhelming support.

While congratulating all participants for their diligence in reaching this new consensus, I must, as President, also express my disappointment over the Conference's inability to agree, due to the concerns of one State, on language recognizing the need to establish and maintain controls over private ownership of these deadly weapons and the need for preventing sales of such arms to non-State groups.

The States of the region most afflicted by this global crisis, Africa, had agreed only with the greatest of reluctance to the deletion of proposed language addressing these vital issues relating to the illicit trade in small arms and light weapons. They did so strictly in the interests of reaching a compromise that would permit the world community as a whole to proceed together with some first steps at the global level to alleviate this common threat. They did so, moreover, without in any way compromising their commitment to continue their efforts to address this problem, a problem that must be addressed, as the title of the conference demands, in all, and I repeat, all, its aspects. This position is supported by many States outside the region and it is also the view shared by the President of this Conference.

As requested by several delegations, I shall include my statement today in the report on the Conference, that will be sent to the General Assembly. I hope that this statement will help future efforts both within civil society and among all States to address the illicit trade in small arms and light weapons in all its aspects, until the conscience of humanity is at long last satisfied that all that can be done has in fact been done to alleviate this global tragedy.

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